

**IN THE CLAIMS**

This listing of claims replaces all prior claim listings:

1. (Currently Amended) An electrolyte, comprising:

an electrolytic solution containing consisting of at least one selected from the group consisting of vinyl ethylene carbonate and its derivatives in the range of 0.05 wt % to 5 wt % in total; and

a polymer,

wherein,

said polymer is gelatinized with said electrolytic solution, and said electrolytic solution is diffused or held within said polymer,

said electrolytic solution contains consists of 95 wt % or more of a combination of ethylene carbonate and propylene carbonate to percentage complement the at least one selected from the group consisting of vinyl ethylene carbonate and its derivatives, and

said polymer contains any one from the group consisting of polyethylene oxide, polypropylene oxide, and poly methacrylic nitrile as a monomer unit.

2. (Previously Presented) An electrolyte according to claim 1, wherein a mass ratio of ethylene carbonate to propylene carbonate ranges from about 15/85 to about 75/25.

3. – 7. (Cancelled)

8. (Currently Amended) A battery comprising:

a cathode;

an anode; and

an electrolyte,

wherein,

the electrolyte contains an electrolytic solution containing consisting of at least one from the group consisting of vinyl ethylene carbonate and its derivatives in the range of 0.05 wt % to 5 wt % in total, and a polymer,

said polymer is gelatinized with said electrolytic solution, and said electrolytic solution is diffused or held within said polymer,

said electrolytic solution ~~contains~~ consists of 95 wt % or more of a combination of ethylene carbonate and propylene carbonate to percentage complement the at least one selected from the group consisting of vinylethylene carbonate and its derivatives, and

said polymer contains any one from the group consisting of polyethylene oxide, polypropylene oxide, and poly methacrylic nitrile as a monomer unit.

9. (Previously Presented) A battery according to claim 8, wherein the electrolytic solution contains ethylene carbonate and propylene carbonate with a mass ratio of ethylene carbonate to propylene carbonate ranging from about 15/85 to about 75/25.

10. – 14. (Cancelled)